

United States District Court		<small>DISTRICT OF ARIZONA</small>				
<p style="text-align: center;">United States of America</p> <p style="text-align: center;">v.</p> <p>Katherine Rose Sparks; DOB: 1994; United States Citizen Matthew Ryan Hand; DOB: 1990; United States Citizen Jesus Tanori-Sotelo; DOB: 1987; Mexican Citizen Luis Morales-Valenzuela; DOB: 1988; Mexican Citizen</p>		<p>DOCKET NO.</p> <p>MAGISTRATE'S CASE NO.</p> <p style="font-size: 1.2em; text-align: center;">17-01467MJ</p>				
Complaint for violation of Title 21 United States Code § 846 and Title 18 United States Code § 111(a)(1) and (b)						
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:						
<p><u>COUNT 1:</u> Beginning at a time unknown, and continuing to on or about February 23, 2017, at or near Bisbee, in the District of Arizona, KATHERINE ROSE SPARKS, MATTHEW RYAN HAND, JESUS TANORI-SOTELO, and LUIS MORALES-VALENZUELA, named herein as defendants and co-conspirators, did knowingly and intentionally combine, conspire, confederate and agree together and with other persons known and unknown to possess with intent to distribute less than 50 kilograms of marijuana, a Schedule I controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).</p> <p style="padding-left: 40px;">All in violation of Title 21, United States Code, Section 846.</p> <p><u>COUNT 2:</u> On or about February 23, 2017, at or near Palominas, in the District of Arizona, the defendant, KATHERINE ROSE SPARKS, did intentionally and forcibly assault United States Border Patrol Agent W. R., an officer of the United States or any agency thereof, with a dangerous or deadly weapon, to wit: a vehicle, while W. R. was engaged in the performance of his official duties, all in violation of Title 18 U.S.C. Section 111(a)(1) and (b).</p>						
BASIS OF COMPLAINT'S CHARGE:						
<p>On February 23, 2017, United States Border Patrol Agent (BPA) W. R. was on patrol near Naco, Arizona. BPA W. R. was in an unmarked vehicle and plainclothes with his badge hanging visibly from his neck. A USBP surveillance vehicle relayed that an SUV near Bisbee, Arizona was observed being loaded with bundles similar to those regularly identified as marijuana. The bundles were being loaded into the vehicle by two individuals later identified as Jesus TANORI-Sotelo and Luis MORALES-Valenzuela. The SUV was then observed travelling west on Highway 92. BPA W. R. observed the SUV as it passed his vehicle traveling west on Highway 92. He followed the suspected SUV west on Highway 92 until the vehicle stopped at a red traffic light on the east side of Highway 92's San Pedro River bridge crossing. BPA W. R. activated his law enforcement lights, exited his vehicle, and proceeded to the passenger side door of the SUV. Two individuals and one dog were immediately observed in the vehicle.</p> <p>CONTINUED ON THE REVERSE SIDE.</p>						
MATERIAL WITNESSES IN RELATION TO THE CHARGE:						
Detention Requested Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge. AUTHORIZED BY: AUSA Erica L. Seger <i>ELS</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">SIGNATURE OF COMPLAINANT</td> <td style="text-align: center; padding: 10px;"><i>Raymond McConnell</i></td> </tr> <tr> <td style="padding: 5px;">OFFICIAL TITLE</td> <td style="padding: 5px;">SA Raymond "Mac" McConnell, FBI</td> </tr> </table>		SIGNATURE OF COMPLAINANT	<i>Raymond McConnell</i>	OFFICIAL TITLE	SA Raymond "Mac" McConnell, FBI
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OFFICIAL TITLE	SA Raymond "Mac" McConnell, FBI					
Sworn to before me and subscribed in my presence.						
SIGNATURE OF MAGISTRATE JUDGE ¹⁾ <i>Erica L. Seger</i>	DATE February 24, 2017					

¹⁾ See Federal rules of Criminal Procedure Rules 3 and 54

The driver was later identified as Katherine Rose SPARKS. The passenger was later identified as Matthew Ryan HAND. BPA W. R. identified himself as a law enforcement officer to SPARKS and HAND and attempted to remove HAND from the vehicle. HAND physically resisted, at which time SPARKS turned and accelerated the vehicle down an access road, which ran adjacent to Highway 92, to the San Pedro River, causing the vehicle to hit BPA W. R. in the leg. The SUV was temporarily stuck in the river bottom, before SPARKS successfully negotiated the vehicle back onto Highway 92 traveling east.

BPA W. R. was transported to Canyon Vista Medical Center in Sierra Vista, Arizona for medical treatment. While BPA W. R. was at the Canyon Vista Medical Center, Mary Sparks entered the hospital requesting to speak with a Border Patrol Agent about a vehicular accident involving Katherine Rose SPARKS, her daughter. Mary Sparks provided agents with a photo and the general location of SPARKS' in Sierra Vista, Arizona. BPA W. R. positively identified SPARKS from the photo as the driver of the SUV. Law enforcement officers located SPARKS at Bella Vista Motel in Sierra Vista, Arizona. SPARKS had a room key for room 17 at the Bella Vista Motel on her person and advised the detaining officers that HAND was in the motel room. SPARKS was detained and transported to Sierra Vista Police Department for questioning.

Law enforcement officers knocked on the door to room 17 and requested to speak with the occupant, HAND. Located in the room, and in plain view to the officers, were personal consumption amounts of marijuana, the keys to a Mercury SUV, a vehicle insurance card for the Mercury SUV, and a vehicle registration card for the gold Mercury SUV. HAND had multiple bloody abrasions on his head and right hand, visible scratches on the right-side of his neck, bruising on the inside of his right arm, and bruising on the inside of his left ankle. A dog was also in the room and BPA W. R. positively identified the dog in room 17 as the dog he observed in the SUV. Law enforcement officer gave the dog to Mary Sparks.

During questioning SPARKS admitted to having driven the gold Mercury SUV on prior occasions, the most recent being on the morning of February 23, 2017, but claimed that she and HAND had been in room 17 at the Bella Vista Motel all day.

BPA W. R. suffered significant tendon and ligament injuries to his legs.

On February 24, 2017, law enforcement officers located the gold Mercury SUV. Two double bundles were located inside the vehicle. A representative sample was taken from one of the bundles and field tested positive for the characteristics of marijuana. The total approximate weight of the bundles was 42.41 kilograms.
